



*Williamsburg
Rec. + Stg*

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LAW OFFICES**

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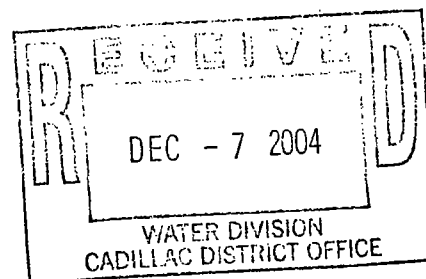
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**CHARLES H. MENMUIR
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Of Counsel:
LEWIS G. GATCH
ROBERT J. DEDERICH**

December 6, 2004

SENT VIA FACSIMILE AND UPS OVERNIGHT

**Mr. Allen Retlewski
Environmental Quality Analyst
Air Quality Division
Michigan Department of Environmental Quality
Cadillac District Office
120 W. Chapin Street W
Cadillac, MI 49601**



**RE: Letter of Violation
Williamsburg Receiving & Storage
Williamsburg, Michigan**

Dear Mr. Retlewski:

Please be advised that the undersigned represents the legal interests of Williamsburg Receiving & Storage and Cherry Blossom, LLC in environmental matters. I am in receipt of your Letter of Violation ("LOV") dated November 15, 2004.

Specifically, the Letter of Violation details concerns of the Department related to potential violations of Rule 901 of the Michigan Air Pollution Control Act, Part 55 of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended. Please let this letter serve as my client's response to the Letter of Violation generally and my client's program for compliance as requested in your November 15, 2004, LOV.

As a primary matter, you should be advised that my client's operations manager contacted DEQ Water Division staff in Cadillac to advise Department staff that the equalization batch tanks contained in one of the buildings at the facility was being cleaned and purged and that there was an odor present as part of that activity. I believe my client's self reporting of the situation preceded any complaints by adjacent landowners. My client made it clear when contacting DEQ staff that they were doing everything they could to ameliorate the odor issue. It is my understanding that you and another staff member visited the facility shortly thereafter and my client believes that at that time, the odor was probably at its greatest. My client regrets the odor concern and is, of course, sensitive to the perceptions and aesthetic sensitivities of the adjacent property owners.

ZIMMERMAN, KUHN, DARLING,
BOYD, TAYLOR AND QUANDT, PLC

Janice Heuer
December 6, 2004
Page 2

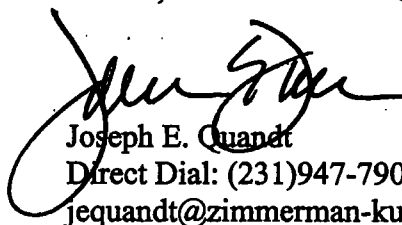
In order to eliminate the possibility of a repeat problem and as a compliance program to address the concerns articulated in your LOV, my clients have since covered the tanks from which the odors emanated. Additionally, my clients have installed large doors on the building to prevent any fugitive emissions of odor which may emanate from the wastewater tanks. To substantively deal with the odor issue, my clients have purchased, at a cost of \$39,000.00, an air purifier/neutralizer which utilizes a US EPA and USDA approved odor control chemical. Information on the chemical compound and the purifier is attached to this correspondence. Because the chemical does not directly interact with the waste stream, it does not add any additional characterization concerns related to the effluent which is currently being transported by licensed liquid industrial waste hauling equipment to a licensed disposal facility. My client is also performing an odor check at the facility every business day and is maintaining a log of odor check activity.

Further, in the past, waste hauling trucks were parked with hatches open and it is our belief that this may have attributed to part of the problem. WRS staff and any third party waste hauler are being instructed to keep all hatches closed except when hatches must be open while there is loading of material. My client reasonably believes that implementation of these activities should result in eliminating any offensive fugitive odors which may emanate from this activity in the future.

I hope that this addresses all of your concerns as articulated in your November 15, 2004, correspondence. Should you require anything additional, please feel free to contact me.

Sincerely,

ZIMMERMAN, KUHN, DARLING,
BOYD, TAYLOR AND QUANDT, PLC



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JEQ:csg
Enclosure

pc: Chris Hubbell
Ed Roy
Rick Rusz
Janice Heuer
Mike Stifler
Andy Smits



United States
Department of
Agriculture

Food Safety
and Inspection
Service

Office of Policy, Program
Development and Evaluation
Room 604 Annex Building
Washington, DC 20250

April 23, 1998

Ms. Donna M. Ware
BetzDearborn, Inc./
Water Management Group
4636 Somerton Road
Trevose, PA 19053

Dear Ms. Ware:

This is in reply to your request for compound authorization received on March 10, 1998 for your product Prosweet OC518.

This product is acceptable for use in inedible product processing areas, nonprocessing areas, and/or exterior areas of official establishments operating under the Federal meat, poultry, shell egg grading, and egg products inspection programs provided that it is not used to mask odors resulting from insanitary conditions, and that any characteristic odor or fragrance does not penetrate into an edible product area.

Permission for the use of this compound on loading docks and other similar areas is left to the discretion of the inspector in charge of the establishment.

Acceptance of compounds by this Department is in no way to be construed as an endorsement of the compounds or of any claims made for them.

If any change is made in the labeling information or formulation, the authorization for use in official plants becomes void immediately.

Sincerely,

John M. Damaré, Chief
Compounds and Packaging Review Branch
Labeling and Compounds Review Division



United States
Department of
Agriculture

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and Inspection
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Office of Policy, Program
Development and Evaluation
Room 604 Annex Building
Washington, DC 20250

April 23, 1998

Ms. Donna M. Ware
BetzDearborn, Inc./
Water Management Group
4636 Somerton Road
Trevose, PA 19053

Dear Ms. Ware:

This is in reply to your request for compound authorization received on March 10, 1998 for your product Prosweet OC518.

This product is acceptable for use in sewage and/or drain lines of official establishments operating under the Federal meat, poultry, shell egg grading, and egg products inspection programs.

Acceptance of compounds by this Department is in no way to be construed as an endorsement of the compounds or of any claims made for them.

If any change is made in the labeling information or formulation, the authorization for use in official plants becomes void immediately.

Sincerely,

John M. Damaré, Chief
Compounds and Packaging Review Branch
Labeling and Compounds Review Division

Product Facts

ProSweet™ OC2533 Odor Control Agent

- Controls offensive odors
- Effective in a variety of applications including municipal POTW, industrial scrubbers, stack off gases, composts, landfills, holding ponds
- Easy-to-use liquid blend

DESCRIPTION AND USE

ProSweet™ OC2533 is formulated to provide the only true "vapor phase" odor neutralization system for application without water. ProSweet OC2533 uses a combination of direct vaporization delivery equipment and special blended, biodegradable, natural products to provide a complete odor neutralization solution. ProSweet OC2533 is non-toxic and contains no hazardous air pollutants as promulgated under the Clean Air Act 40 CFR part 63, sub part C.

TREATMENT AND FEEDING REQUIREMENTS

Proper treatment levels for ProSweet OC2533 depend on many factors, such as system volume and air flowrate (CFM), temperature, application point and odor concentration in air.

For optimal performance, ProSweet OC2533 should be fed based upon the horsepower of the evaporator. Horsepower needed is determined by air flow CFM to be treated or per 100 feet perimeter to be treated. Feedrates are often adjusted until optimal maintenance dosages are established.

For best treatment performance, BetzDearborn odor control programs should be set up to monitor odors in the air based on criteria established by the facility, such as a plotted odor complaint reduction curve over time.

ProSweet OC2533 is compatible with Stainless Steel, Teflon, Polyethylene HDCL, Teflon and PVC

GENERAL PROPERTIES

Physical properties of ProSweet OC2533 are shown on the Material Safety Data Sheet; a copy is available upon request.

PACKAGING INFORMATION

ProSweet OC2533 is a liquid blend. Consult your BetzDearborn representative delivery and container options.





JENNIFER M. GRANHOLM
GOVERNOR

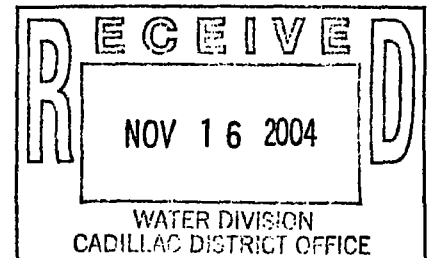
STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
CADILLAC DISTRICT OFFICE

Williamsburg, Rec. + Sto
G.T. 10
DEQ
STEVEN E. CHESTER
DIRECTOR

November 15, 2004

CERTIFIED MAIL

Mr. Chris Hubbell
Williamsburg Receiving and Storage
10190 Munro Road
Williamsburg, Michigan 49690



Grand Traverse County

Dear Mr. Hubbell:

LETTER OF VIOLATION

On October 27, 2004, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of your facility located at 10190 Munro Road, Williamsburg, Michigan. The purpose of this inspection was to determine your facility's compliance with the requirements of the Federal Clean Air Act; Article II, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); the administrative rules; and to investigate recent complaints which we received on October 26, 2004, and October 27, 2004, concerning foul odors attributed to your company's operations.

During the inspection, the following air pollution violation was identified:

Process Description	Rule/Permit Condition Violated	Comments
Storage of waste water in open tanks contained in a building that had two entrances with no doors on them.	Rule 901	The odor from these storage tanks was very strong and objectionable and persisted for at least two days.

In the professional judgment of the AQD staff, the odors that were observed were of sufficient intensity and duration so as to constitute a violation of Rule 901. The AQD staff detected odors in a residential area on Munro Road, near the company.

Rule 901 states, in part:

"A person shall not cause or permit the emission of an air contaminant in quantities that cause injurious effect to human health, property, or the

Mr. Chris Hubbell
Page 2
November 15, 2004

unreasonable interference with the comfortable enjoyment of life and property."

You should immediately initiate necessary actions to correct the cited violation. Additionally, please submit a report of your program for compliance by December 6, 2004, which coincides with 21 calendar days from the date of this letter. At a minimum, this report should explain the causes and duration of the violation, whether the violation is ongoing, remedial action taken, and what steps are being taken to prevent a reoccurrence. If the violation is not resolved by the date of your response, describe what equipment you will install, procedures you will implement, processes or process equipment you will shut down, or other actions you will take and by what dates these actions will take place.

Notwithstanding your response to the preceding citations, the AQD may initiate further enforcement action to address violations of state and federal Air Acts, rules and regulations.

Thank you for your attention to resolving the violation cited above. If you have any questions regarding the violation or the actions necessary to bring your facility into compliance, please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Retlewski", with the initials "FAR" written below it.

Allen Retlewski
Environmental Quality Analyst
Air Quality Division
231-775-3960, Ext. 6252

cc: Ms. Sandra Beckwith, Whitewater Township
Mr. Michael Stifler, DEQ
Mr. Gerald Avery, DEQ
Mr. Thomas Hess, DEQ